

KANSAS STATE BOARD OF TECHNICAL PROFESSIONS

STATUTES

Effective July 1, 2009

and

RULES AND REGULATIONS

Effective December 27, 2013



The following rules and regulations adopted by reference may be obtained as follows:

- 1. Kansas Minimum Standards for Boundary Surveys and Mortgagee Title Inspections Standards of Practice adopted by the Kansas Society of Land Surveyors and last amended December 2009**

**Minimum Standard Detail Requirements for ALTA/ACSM
Land Title Surveys (effective February 23, 2011)**

(Both documents available at: www.ksbtp.ks.gov/professions/surveyors)

- 2. Land Surveying curriculum approved December 8, 2006**

Available at: www.ksbtp.ks.gov

- 3. "Certification Guidelines" (Sections 1-6, Pages 11-16) – revised July 2012 available at:
<http://www.ncarb.org>**

- 4. "IDP Guidelines" (Pages 9-20) – dated November 2012 available at:
<http://www.ncarb.org>**

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Article 70
BOARD OF TECHNICAL PROFESSIONS

(Edited from the Kansas Statutes Annotated)

74-7001. Technical professions; unlawful practice; representation and use of title. (a) Except as otherwise provided in this act, it shall be unlawful for any person to practice or to offer to practice in the state of Kansas, any profession included within the term technical professions, as such term is defined in the provisions of this act, unless such person has been duly licensed to practice such profession under this act or holds a certificate of authorization issued under K.S.A. 74-7036.

(b) Any person practicing any technical profession in this state, or calling or representing such person as a licensed practitioner of such technical profession, or using the title of a licensed practitioner of such technical profession shall be required to submit evidence that such person is qualified to practice such technical profession and is duly licensed under this act or holds a certificate of authorization issued under K.S.A. 74-7036.

History: L. 1976, ch. 334, sec. 1; L. 1978, ch. 326, sec. 1; L. 1980, ch. 244, sec. 2; July 1.

74-7002.

History: L. 1976, ch. 334, sec. 3; Repealed, L. 1978, ch. 326, sec. 28; July 1.

74-7003. Definitions. As used in K.S.A. 74-7001 et seq., and amendments thereto:

(a) “Technical professions” includes the professions of engineering, land surveying, architecture, landscape architecture and geology as the practice of such professions are defined in K.S.A. 74-7001 et seq., and amendments thereto.

(b) “Board” means the state board of technical professions.

(c) “License” means a license to practice the technical professions granted under K.S.A. 74-7001 et seq., and amendments thereto.

(d) “Architect” means a person whose practice consists of:

(1) Rendering services or performing creative work which requires architectural education, training and experience, including services and work such as consultation, evaluation, planning, providing preliminary studies and designs, overall interior and exterior building design, the preparation of drawings, specifications and related documents, all in connection with the construction or erection of any private or public building, building project or integral part or parts of buildings or of any additions or alterations thereto, or other services and instruments of services related to architecture;

(2) representation in connection with contracts entered into between clients and others; and

(3) observing the construction, alteration and erection of buildings.

(e) “Practice of architecture” means the rendering of or offering to render certain services, as described in subsection (d), in connection with the design and construction or alterations and additions of a building or buildings; the design and construction of items relating to building code requirements, as they pertain to architecture, and other building related features affecting the public’s health, safety and welfare; the preparation and certification of any architectural design features that are required on plats; and the teaching of architecture by a licensed architect in a college or university offering an approved architecture curriculum of four years or more.

(f) “Landscape architect” means a person who is professionally qualified as provided in K.S.A. 74-7001 et seq., and amendments thereto, to engage in the practice of landscape architecture, who practices landscape architecture and who is licensed by the board.

(g) “Practice of landscape architecture” means the performing of professional services such as consultation, planning, designing or responsible supervision in connection with the development of land areas for preservation and enhancement; the designing of land forms and nonhabitable structures for aesthetic and functional purposes such as pools, walls and structures for outdoor living spaces for public and private use; the preparation and certification of any landscape architectural design features that are required on plats; and the teaching of landscape architecture by a licensed landscape architect in a college or university offering an approved landscape architecture curriculum of four years or more. It encompasses the determination of proper land use as it pertains to: Natural features; ground cover, use, nomenclature and arrangement of plant material adapted to soils and climate; naturalistic and aesthetic values; settings and approaches to structures and other improvements; soil conservation erosion control; drainage and grading; and the development of outdoor space in accordance with ideals of human use and enjoyment.

(h) “Professional engineer” means a person who is qualified to practice engineering by reason of special knowledge and use of the mathematical, physical and engineering sciences and the principles and methods of engineering analysis and design, acquired by engineering education and engineering experience, who is qualified as provided in K.S.A. 74-7001 et seq., and amendments thereto, to engage in the practice of engineering and who is licensed by the board.

(i) “Practice of engineering” means any service or creative work, the adequate performance of which requires engineering education, training and experience in the application of special knowledge of the mathematical, physical and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning and design of engineering works and systems, the teaching of engineering by a licensed professional engineer in a college or university offering an approved engineering curriculum of four years or more, engineering surveys and studies, the observation of construction for the purpose of assuring compliance with drawings and specifications, representation in connection with contracts entered into between clients and others and the preparation and certification of any engineering design features that are required on plats; any of which embraces such service or work, either public or private, for any utilities, structures, buildings, machines, equipment, processes, work systems, projects and industrial or consumer products or equipment of a mechanical,

electrical, hydraulic, pneumatic or thermal nature, insofar as they involve safeguarding life, health or property. As used in this subsection, Aengineering surveys@ includes all survey activities required to support the sound conception, planning, design, construction, maintenance and operation of engineered projects, but excludes the surveying of real property for the establishment of land boundaries, rights-of-way, easements and the dependent or independent surveys or resurveys of the public land survey system.

(j) "Land surveyor" means any person who is engaged in the practice of land surveying as provided in K.S.A. 74-7001 et seq., and amendments thereto, and who is licensed by the board.

(k) "Practice of land surveying" includes:

(1) The performance of any professional service, the adequate performance of which involves the application of special knowledge and experience in the principles of mathematics, the related physical and applied sciences, the relevant requirements of law and the methods of surveying measurements in measuring and locating of lines, angles, elevation of natural and man-made features in the air, on the surface of the earth, within underground workings and on the bed of bodies of water for the purpose of determining areas, volumes and monumentation of property boundaries;

(2) the planning, mapping and preparation of plats of land and subdivisions thereof, including the topography, rights-of-way, easements and any other boundaries that affect rights to or interests in land, but excluding features requiring engineering or architectural design;

(3) the preparation of the original descriptions of real property for the conveyance of or recording thereof and the preparation of maps, plats and field note records that represent these surveys;

(4) the reestablishing of missing government section corners in accordance with government surveys;

(5) the teaching of land surveying by a licensed land surveyor in a college or university offering an approved land surveying curriculum of four years or more; and

(6) the locating or laying out of alignments, positions or elevations where such work is part of the construction of engineering or architectural works.

(l) "Person" means a natural person or business entity.

(m) "Plat" means a diagram drawn to scale showing all essential data pertaining to the boundaries and subdivisions of a tract of land as determined by survey or protraction. A plat should show all data required for a complete and accurate description of the land which it delineates, including the bearings (or azimuths) and lengths of the boundaries of each subdivision.

(n) "Geologist" means a person who is qualified to engage in the practice of geology by reason of knowledge of geology, mathematics and the supporting physical and life sciences, acquired by education and practical experience, who is qualified as provided in K.S.A. 74-7001 et seq., and amendments thereto, to engage in the practice of geology and who is licensed by the board.

(o) "Practice of geology" means:

(1) The performing of professional services such as consultation, investigation, evaluation, planning or mapping, or inspection, or the responsible supervision thereof, in connection with the treatment of the earth and its origin and history, in general; the investigation of the earth's constituent rocks, minerals, solids, fluids including surface and underground waters, gases and other materials; and the study of the natural agents, forces and processes which cause changes in the earth;

(2) the teaching of geology by a licensed professional geologist in a college or university offering an approved geology curriculum of four years or more by a person who meets the qualifications for education and experience prescribed by K.S.A. 74-7041 and amendments thereto; or

(3) representation in connection with contracts entered into between clients and others and the preparation and certification of geological information in reports and on maps insofar as it involves safeguarding life, health or property.

(p) "Business entity" means a general corporation, professional corporation, limited liability company, limited liability partnership, corporate partnership or other legal entity created by law.

(q) "Principal" means a person who serves in a business entity as an officer, member of a board of directors, member of a limited liability company or partner.

History: L. 1976, ch. 334, sec. 2; L. 1978, ch. 326, sec. 2; L. 1992, ch. 240, sec. 3; Jan. 1, 1993; L. 1995, ch. 104, sec. 3; L. 1997, ch. 128, sec. 1, July 1. Effective July 1, 2009.

74-7004. State board of technical professions; purpose; membership; appointment; vacancies. For the purpose of administering the provisions of this act and in order to establish and maintain a high standard of integrity, skills and practice in the technical professions and to safeguard the life, health, property and welfare of the public, the governor shall appoint a state board of technical professions consisting of thirteen members. At least 30 days prior to the expiration of any term other than that of the member appointed from the general public, professional societies and associations which are respectively representative of each branch of the technical professions may submit to the governor a list of three or more names of persons of recognized ability who have the qualifications prescribed for board members for appointment from that branch of the technical professions. The governor shall consider the list of persons in making the appointment to the board. In case of a vacancy in the membership of the board, other than that of the member appointed from the general public, for any reason other than the expiration of a term of office, the governor shall appoint a qualified successor to fill the unexpired term. In making the appointment the governor shall give consideration to the list of persons last submitted.

History: L. 1976, ch. 334, sec. 4; L. 1978, ch. 326, sec. 3; L. 1978, ch. 308, sec. 69; L. 1981, ch. 299, sec. 60; L. 1982, ch. 347, sec. 46; L. 1984, ch. 294, sec. 1; L. 1995, ch. 104, sec. 4; July 1.

74-7005. Same; qualifications of members. (a) Membership of the board shall be as follows:

(1) Four members shall have been engaged in the practice of engineering for at least eight years and shall be licensed engineers. At least one of such members shall be engaged in private practice as an engineer. At least one of such members shall also be licensed as a land

surveyor, as well as a licensed engineer.

(2) Two members shall have been engaged in the practice of land surveying for at least eight years and shall be licensed land surveyors.

(3) Three members shall be licensed architects of recognized standing and shall have been engaged in the practice of the profession of architecture for at least eight years, which practice shall include responsible charge of architectural work as principal.

(4) One member shall be a licensed landscape architect and shall have been engaged in the practice of landscape architecture for at least eight years, which practice shall include responsible charge of landscape architectural work as principal.

(5) One member shall be engaged in the practice of geology, shall have been engaged in the practice of geology for at least eight years and, on and after July 1, 2000, shall be a licensed geologist.

(6) Two members shall be from the general public of this state.

(b) Each member of the board shall be a citizen of the United States and a resident of this state.

(c) The amendments to this section shall not be applicable to any member of the board who was appointed to the board and qualified for such appointment under this section prior to the effective date of this act.

History: L. 1976, ch. 334, sec. 5; L. 1976, ch. 337, sec. 1; L. 1978, ch. 326, sec. 4; L. 1992, ch. 240, sec. 4; Jan. 1, 1993; L. 1997, ch. 128, sec. 2, July 1.

74-7006. Same; terms of members; vacancies; removal from office. (a) Whenever a vacancy occurs in the membership of the board by reason of the expiration of a term of office, the governor shall appoint a successor of like qualifications. All appointments shall be for terms of four years, but no member shall be appointed for more than three successive four-year terms.

(b) The terms of members appointed to the board shall commence on the July 1 immediately following the day of expiration of the preceding term, regardless of when the appointment is made, and shall expire on June 30 of the fourth year of the member's term.

(c) Each member shall serve until a successor is appointed and qualified. Whenever a vacancy shall occur in the membership of the board for any reason other than the expiration of a member's term of office, the governor shall appoint a successor of like qualifications to fill the unexpired term.

(d) The governor may remove any member of the board for misconduct, incompetence, neglect of duty, or for any other sufficient cause.

History: L. 1976, ch. 334, sec. 6; L. 1992, ch. 240, sec. 5; Jan. 1, 1993; L. 1997, ch. 128, sec. 3; July 1.

74-7007. Same; organization; election of officers; seal; rules; oath; meetings; quorum. The board shall organize annually at its first meeting subsequent to July 1, and shall select a chairperson, vice-chairperson, and secretary from its own membership. The secretary shall be the custodian of the common seal, the books and records of the board, and shall keep minutes of all board proceedings. The chairperson and secretary shall have the power to administer oaths pertaining to the business of the board. The board shall have a common seal and shall formulate rules to govern its actions. Each member of the board shall take and subscribe the oaths prescribed by law for state officers. The oaths provided for herein shall be filed in the office of the secretary of state. The board shall hold an annual meeting and such additional meetings as the board may designate. Seven (7) members of the board shall constitute a quorum for the transaction of business.

History: L. 1976, ch. 334, sec. 7; L. 1995, ch. 104, sec. 5; July 1.

74-7008. Same; executive director and assistant executive director, appointment and salary; compensation and expenses of board members; personnel. a) The board may appoint an executive director and an assistant director who shall be in the unclassified service of the Kansas civil service act and shall receive an annual salary fixed by the board.

(b) Members of the state board of technical professions attending meetings of such board, or attending a subcommittee meeting thereof authorized by such board, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223 and amendments thereto.

(c) The board may employ clerical personnel and other assistants all of whom shall be in the classified service under the Kansas civil service act and may make and enter into contracts of employment with such professional personnel as may be necessary, in the board's judgment, for the performance of its duties and functions and the execution of its powers.

History: L. 1976, ch. 334, sec. 8; L. 1976, ch. 337, sec. 2; L. 1992, ch. 240, sec. 6; L. 1997, ch. 158, sec. 11; July 1.

74-7009. Fees; disposition; technical professions fee fund; expenditures. (a) The following nonrefundable fees shall be collected by the board:

(1) For an original license, issued upon the basis of an examination given by the board, an application fee in the sum of not more than \$200 plus an amount, to be determined by the board, equal to the cost of any examination required by the board in each branch of the technical professions;

(2) for a license by reciprocity under K.S.A. 74-7024 and amendments thereto, an application fee of not more than \$500;

(3) for a certificate of authorization for a business entity, the sum of not more than \$300;

(4) for the biennial renewal of a license, the sum of not more than \$200;

(5) for the biennial renewal of a certificate of authorization for a business entity, the sum of not more than \$300; and

(6) for the renewal of a certificate of authorization pursuant to subsection (e) of K.S.A. 74-7036, and amendments thereto, one-half of the renewal fee required by paragraph (5) of this subsection.

(b) On or before November 15, each year, the board shall determine the amount necessary to administer the provisions of K.S.A. 74-7001 et seq., and amendments thereto, for the ensuing calendar year including the amount to be credited to the state general fund, and shall fix the fees for such year at the sum deemed necessary for such purposes.

(c) The board shall remit all moneys received by or for it from fees, charges or penalties to the state treasurer in accordance with the

provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Twenty percent of each such deposit shall be credited to the state general fund and the balance shall be credited to the technical professions fee fund, which fund is hereby created. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the board or by a person or persons designated by the chairperson.

History: L. 1976, ch. 334, sec. 9; L. 1978, ch. 326, sec. 5; L. 1980, ch. 244, sec. 3; L. 1992, ch. 240, sec. 7; L. 1997, ch. 158, sec. 12; L. 2001, ch. 5, sec. 333; July 1. Effective July 1, 2009.

74-7010. Roster; maintenance and filing; copies, availability, fees. A roster showing the names and places of business of all persons licensed under this act or issued a certificate of authorization under K.S.A. 74-7036, and amendments thereto, shall be maintained by the executive director. The roster shall also specify the branch of the technical professions in which each such person is licensed or authorized to practice. Copies of the roster may be placed, at the discretion of the board, on file with the secretary of state and with the clerk of each county in this state and shall be furnished to such other persons as determined by the board. Copies shall be furnished to members of the public upon request. The board may charge and collect a fee for copies furnished to members of the public in an amount to be fixed by the board and approved by the director of accounts and reports under K.S.A. 45-219, and amendments thereto, in order to recover the actual costs incurred. All fees collected under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the technical professions fee fund.

History: L. 1976, ch. 334, sec. 10; L. 1978, ch. 326, sec. 6; L. 1978, ch. 327, sec. 1; L. 1978, ch. 347, sec. 17; L. 1980, ch. 245, sec. 1; L. 1980, ch. 244, sec. 4; L. 1992, ch. 240, sec. 8; Jan. 1, 1993; L. 2001, ch. 5, sec. 334; July 1.

74-7011.

History: L. 1976, ch. 334, sec. 11; L. 1976, ch. 337, sec. 3; Repealed, L. 1992, ch. 240, sec. 31; Jan. 1, 1993.

74-7012.

History: L. 1976, ch. 334, sec. 12; Repealed, L. 1992, ch. 240, sec. 31; Jan. 1, 1993.

74-7013. Powers and duties of board. (a) The board may adopt all rules and regulations, including rules of professional conduct, which are necessary for performance of its powers, duties and functions in the administration of the provisions of K.S.A. 74-7001 et seq., and amendments thereto.

(b) The board, through rules and regulations, may require continuing education as a condition for license renewal or reinstatement and may exempt persons from such continuing education requirements.

History: L. 1976, ch. 334, sec. 13; L. 1976, ch. 337, sec. 4; L. 1978, ch. 326, sec. 7; L. 1995, ch. 104, sec. 1; L. 1997, ch. 128, sec. 4; July 1. Effective July 1, 2009.

74-7014.

History: L. 1976, ch. 334, sec. 14; Repealed, L. 1992, ch. 240, sec. 31; Jan. 1, 1993.

74-7015.

History: L. 1976, ch. 334, sec. 38; Repealed, L. 1978, ch. 326, sec. 28; July 1.

74-7016. Records of board; register; records as evidence. (a) The board shall keep a record of its proceedings, and a register of all applications for license, which register shall show (1) the name and residence of each applicant; (2) the date of the application; (3) the place of business of each applicant; (4) the applicant's educational and other qualifications; (5) whether or not an examination was required; (6) the action of the board upon the application; (7) the date of the action of the board; and (8) such other information as may be deemed necessary by the board.

(b) The records of the board shall be prima facie evidence of the proceedings of the board set forth therein, and a transcript thereof, duly certified by the secretary of the board under seal, shall be admissible in evidence with the same force and effect as if the original were produced.

History: L. 1978, ch. 326, sec. 8; L. 1992, ch. 240, sec. 9; Jan. 1, 1993.

74-7017. Examination requirement. No applicant seeking original license to practice any technical profession shall be entitled to such license without first meeting the requirement to take and pass an examination utilized by the board.

History: L. 1978, ch. 326, sec. 9; L. 1992, ch. 240, sec. 10; Jan. 1, 1993.

74-7018. Applications for licensure; fee; time; reexamination. Applications for licensure shall be submitted on forms prescribed by the board and shall contain information concerning the applicant's education and a detailed summary of the applicant's technical work, previous examinations, if any, and the results thereof and such other information and references as may be required by the board. All such applications shall be submitted to the executive director, together with the application fee prescribed under K.S.A. 74-7009, and amendments thereto, within a time period to be determined by the board.

History: L. 1978, ch. 326, sec. 14; L. 1992, ch. 240, sec. 11; Jan. 1, 1993. Effective July 1, 2009.

74-7019. Architects; qualifications for licensure. Minimum qualifications of applicants seeking licensure as architects are the following:

- (a) Graduation from a college or university program that is adequate in its preparation of students for the practice of architecture; and
- (b) proof of architectural experience of a character satisfactory to the board, as defined by rules and regulations of the board; and
- (c) the satisfactory passage of an examination utilized by the board.

History: L. 1978, ch. 326, sec. 10; L. 1992, ch. 240, sec. 12; Jan. 1, 1993.

74-7020. Landscape architects; qualifications for licensure. Minimum qualifications of applicants seeking licensure as landscape architects are the following:

(a)(1) Graduation from a four-year college or university program that is adequate in its preparation of students for the practice of landscape architecture and a minimum of four years of experience in landscape architectural work of a character satisfactory to the board, as defined by rules and regulations of the board; or

(2) graduation from a five-year college or university program that is adequate in its preparation of students for the practice of landscape architecture and a minimum of three years of experience in landscape architectural work of a character satisfactory to the board, as defined by rules and regulations of the board; and

(b) the satisfactory passage of an examination utilized by the board.

History: L. 1978, ch. 326, sec. 11; L. 1992, ch. 240, sec. 13; Jan. 1, 1993.

74-7021. Professional engineers; qualifications for licensure. (a) Minimum qualifications of applicants seeking licensure as professional engineers are the following:

(1) Graduation from a college or university program that is adequate in its preparation of students for the practice of engineering; and

(2) the satisfactory passage of such written examination in the fundamentals of engineering as utilized by the board; and

(3) proof of four years of engineering experience of a character satisfactory to the board, as defined by rules and regulations of the board; and

(4) the satisfactory passage of such examination in professional practice as utilized by the board.

(b) The board may issue an intern engineer certificate to a person who meets the education and examination qualifications prescribed by the board.

History: L. 1978, ch. 326, sec. 12; L. 1992, ch. 240, sec. 14; Jan. 1, 1993. Effective July 1, 2009.

74-7022. Land surveyors; qualifications for licensure. (a) Minimum qualifications of applicants seeking licensure as land surveyors are the following:

(1) Proof of land surveying experience and education in accordance with rules and regulations of the board; and

(2) the satisfactory passage of examinations utilized by the board.

(b) The board may issue an intern land surveyor certificate to a person who meets the education, experience and examination qualifications prescribed by the board.

History: L. 1978, ch. 326, sec. 13; L. 1986, ch. 303, sec. 2; L. 1988, ch. 307, sec. 2; L. 1992, ch. 240, sec. 15; Jan. 1, 1993. Effective July 1, 2009.

74-7023. Examinations, time, place, scope, method of procedure; license, issuance, contents, evidence; seal, purchase and use, conditions. (a) All examinations required by K.S.A. 74-7001 et seq., and amendments thereto, shall be held at such time and place as the board determines. The scope of the examinations, methods of procedure and eligibility to take examinations, including reexaminations, shall be prescribed by the board.

(b) The board, after receiving satisfactory evidence of the qualifications of an applicant and after satisfactory examination of the applicant, shall issue a license authorizing the applicant to practice the technical profession for which the applicant is qualified and to use the title appropriate to such technical profession.

(c) Each license shall show the full name of the licensee, shall have a serial number and shall be signed by the chairperson and the secretary of the board under seal of the board. The issuance of a license by the board shall be prima facie evidence that the person named on the license is legally licensed and is entitled to all rights and privileges of a licensed practitioner of the technical profession for which the licensee is licensed while the license remains unrevoked and unexpired.

(d) Each licensee shall purchase a seal of a distinctive design authorized by the board, bearing the licensee's name and number and a uniform inscription formulated by the board. Documents, reports, legal descriptions, records and papers signed by the licensee in the licensee's professional capacity shall be stamped with the seal during the duration of the license, but it shall be unlawful for anyone to stamp any document with the seal after the license has expired or has been revoked, unless the license has been renewed or reissued. No person shall tamper with or revise the seal without express written approval by the board.

(e) Any person licensed hereunder may stamp any documents submitted to such licensee by any practitioner of a technical profession licensed in another state upon assuming full responsibility for furnishing complete and adequate observation of the work covered by the documents to which the licensee has affixed the seal.

History: L. 1978, ch. 326, sec. 15; L. 1992, ch. 240, sec. 16; Jan. 1, 1993. Effective July 1, 2009.

74-7024. Exemptions from examination for licensure; reciprocity; certain license or certificate holders; fees; conditions. Any person who holds a current license or certificate of qualification or registration to practice any branch of the technical professions issued by the

proper authority in any other state or political subdivision of the United States or in any other country may be exempted from examination for licensure in this state if the requirements under which such license or certificate was issued are of a standard accepted by the board and if the person's record fully meets the requirements of this state in all respects other than examination. The board may issue, upon application therefor and receipt of payment of the application fee prescribed under K.S.A. 74-7009, and amendments thereto, a license to practice the appropriate technical profession if the proper authority of the state, political subdivision or country from which the applicant holds a license or certificate agrees to accept on an equal basis persons who hold licenses issued by the authority of this state.

History: L. 1978, ch. 326, sec. 16; L. 1997, ch. 158, sec. 13; July 1.

74-7025. Expiration of license or certificate of authorization; notice; renewal; continuing education as condition for license renewal; reinstatement after failure to renew; fee for reinstatement; replacement license.

(a) At least 30 days prior to the date of expiration of a license or certificate of authorization, the executive director shall notify every person licensed under K.S.A. 74-7001 et seq., and amendments thereto, or business entity issued a certificate of authorization under K.S.A. 74-7036 and amendments thereto of the date of the expiration of the license or certificate of authorization and the amount of the fee that is required for its renewal for two years. The licensee shall notify the board in writing of any change of address within 30 days after the date of such change. Renewal may be effected without penalty any time during a period of 60 days following the date of the expiration of the license or certificate of authorization by the payment of a renewal fee established by the board pursuant to the provisions of K.S.A. 74-7009 and amendments thereto.

(b) As a condition for obtaining license renewal, the board may require proof of compliance with continuing education requirements established by rules and regulations.

(c) The failure on the part of any licensee or holder of a certificate of authorization to effect renewal or reinstatement of a license or certificate of authorization as required above shall result in the cancellation of the license or certificate of authorization by the board.

(d) Any person whose license or certificate of authorization has been cancelled pursuant to subsection (c) may have the license or certificate of authorization reinstated by the board for good cause shown and upon payment of a penalty determined by the board in an amount of not more than \$100.

(e) A new license or certificate of authorization, to replace any lost, destroyed or mutilated license, may be issued, subject to rules and regulations of the board, and a charge of \$20 shall be made for such issuance.

History: L. 1978, ch. 326, sec. 17; L. 1980, ch. 244, sec. 5; L. 1992, ch. 240, sec. 17; Jan. 1, 1993; L. 1995, ch. 104, sec. 2; July 1. Effective July 1, 2009.

74-7026. Discipline of licensees or holders of certificates of authorization; suspension or revocation of licenses or certificates of authorization; grounds; reinstatement of license or certificate of authorization, fees.

(a) The board shall have the power to limit, condition, reprimand or otherwise discipline, suspend or revoke the license of any person who has engaged in any of the following conduct:

(1) The practice of any fraud or deceit in obtaining a license or certificate of authorization issued under K.S.A. 74-7036 and amendments thereto;

(2) any gross negligence, incompetence, misconduct or wanton disregard for the rights of others in the practice of any technical profession;

(3) a conviction of a felony as set forth in the criminal statutes of the state of Kansas, of any other state or of the United States;

(4) violation of any rules of professional conduct adopted and promulgated by the board or violation of rules and regulations adopted by the board for the purpose of carrying out the provisions of K.S.A. 74-7001 et seq., and amendments thereto; or

(5) affixing or permitting to be affixed such licensee's seal or name to any documents, reports, records or papers which were not prepared by such licensee or prepared under the direct supervision and control of such licensee, except as provided in K.S.A. 74-7023 and amendments thereto.

(b) The board shall have the power to limit, condition, reprimand or otherwise discipline, suspend or revoke the certificate of authorization of any business entity which has engaged in any conduct which would authorize the board to limit, condition, reprimand or otherwise discipline, suspend or revoke the license of a person under this section.

(c) The board, for reasons it may deem sufficient, may reissue a license or certificate of authorization that has been revoked and may remove the suspension of the license or certificate of authorization providing seven or more members of the board vote in favor of such reissuance or removal of suspension. A new license or certificate of authorization, to replace any revoked or suspended license or certificate of authorization, may be issued, subject to rules and regulations of the board, and a charge of \$100 shall be made for the issuance of such license or \$150 for the issuance of a certificate of authorization.

(d) Any action of the board pursuant to this section shall be subject to the provisions of the Kansas administrative procedure act.

History: L. 1978, ch. 326, sec. 18; L. 1980, ch. 244, sec. 6; L. 1984, ch. 313, sec. 139; L. 1992, ch. 240, sec. 18; Jan. 1, 1993; L. 1995, ch. 104, sec. 6; July 1. Effective July 1, 2009.

74-7027. Authority of board at hearings; witnesses, compulsory attendance. In performing its powers, duties and functions under the provisions of this act, the board shall have authority to issue an order under its seal compelling the attendance and testimony of witnesses or compelling the production of books, papers, records, documents or other evidence at any hearing before the board involving the revocation or suspension of license or certificate of authorization issued under K.S.A. 74-7036, and amendments thereto, or practicing or offering to practice without a license or certificate of authorization issued under K.S.A. 74-7036, and amendments thereto. All such hearings shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

History: L. 1978, ch. 326, sec. 19; L. 1980, ch. 244, sec. 7; L. 1984, ch. 313, sec. 140; July 1, 1985.

74-7028. Notice of denial, suspension or revocation of license or certificate of authorization; appeals. Notice of the action of the board in denying, suspending or revoking a license or certificate of authorization issued under K.S.A. 74-7036, and amendments thereto, shall be given in accordance with the provisions of the Kansas administrative procedure act. Any person aggrieved by any decision of the board may appeal such action in accordance with the provisions of the act for judicial review and civil enforcement of agency actions.

History: L. 1978, ch. 326, sec. 20; L. 1980, ch. 244, sec. 8; L. 1984, ch. 313, sec. 141; July 1, 1985.

74-7029. Unlawful acts; prosecution; assistance of attorney general and district or county attorney. (a) It shall be a class A misdemeanor for any person to: (1) Practice or offer to practice or hold one's self out as entitled to practice any technical profession unless the person is licensed as provided in K.S.A. 74-7001 et seq., and amendments thereto, or holds a certificate of authorization issued under K.S.A. 74-7036 and amendments thereto; (2) present or attempt to use, as such person's own, the license, certificate of authorization or seal of another; (3) falsely impersonate any other practitioner of like or different name; (4) give false or forged evidence to the board or any member thereof in obtaining a license or certificate of authorization; (5) use or attempt to use a license or certificate of authorization that has expired or been suspended or revoked; (6) falsely advertise as a licensed practitioner or as the holder of a certificate of authorization; (7) use in connection with such person's name, or otherwise assume, or advertise any title or description intended to convey the impression that such person is a licensed practitioner or holds a certificate of authorization; or (8) otherwise violate any of the provisions of K.S.A. 74-7001 et seq., and amendments thereto, or any rule and regulation promulgated by the board.

(b) For the purposes of subsection (a)(1), a person shall be construed to practice or offer to practice or hold one's self out as entitled to practice a technical profession if such person: (1) Practices any branch of the technical professions; (2) by verbal claim, sign, advertisement, letterhead, card or in any other way represents the person to be an architect, landscape architect, professional engineer, geologist or land surveyor; (3) through the use of some other title implies that such person is an architect, landscape architect, professional engineer, geologist or land surveyor or that such person is licensed to practice a technical profession; or (4) holds one's self out as able to perform, or does perform, any service or work or any other service designated by the practitioner which is recognized as within the scope of the practice of a technical profession.

(c) The attorney general of the state or the district or county attorney of any county, at the request of the board, shall render such legal assistance as may be necessary in carrying out the provisions of K.S.A. 74-7001 et seq., and amendments thereto. Upon the request of the board, the attorney general or district or county attorney of the proper county shall institute in the name of the state or board the proper proceedings against any person regarding whom a complaint has been made charging such person with the violation of any of the provisions of K.S.A. 74-7001 et seq., and amendments thereto. The attorney general, and such district or county attorney, at the request of the attorney general or of the board, shall appear and prosecute any and all such actions.

History: L. 1978, ch. 326, sec. 21; L. 1980, ch. 244, sec. 9; L. 1992, ch. 240, sec. 19; Jan. 1, 1993. Effective July 1, 2009.

74-7030. Civil enforcement of act. Whenever in the judgment of the board any person has engaged in, or is about to engage in, any acts or practices which constitute, or will constitute, a violation of this act, or any rules and regulations of the board, the board may make application to the district court, without giving bond, for civil enforcement of the act or rules and regulations in accordance with the act for judicial review and civil enforcement of agency actions.

History: L. 1978, ch. 326; sec. 22; L. 1984, ch. 313, sec. 142; July 1, 1985.

74-7031. Architecture; exemptions from requirements for licensure or certification; definitions. The provisions of K.S.A. 74-7001 et seq., and amendments thereto, requiring licensure or the issuance of a certificate of authorization under K.S.A. 74-7036 and amendments thereto to engage in the practice of architecture shall not be construed to prevent or to affect:

(a) The practice of any person engaging in the publication of books or pamphlets illustrating architectural designs.

(b) Persons preparing plans, drawings or specifications for one and two family dwellings or for agricultural buildings.

(c) Persons furnishing, individually or with subcontractors, labor and materials, with or without plans, drawings, specifications, instruments of service, or other data concerning the labor and materials to be used for any of the following as long as the utilization of the uniform building code or life safety code, as currently adopted by the division of architectural services of the state of Kansas, is not required:

(1) Store fronts or facades, interior alterations or additions, fixtures, cabinet work, furniture, appliances or other equipment;

(2) work necessary to provide for installation of any item designated in subsection (c)(1);

(3) alterations or additions to a building necessary to or attendant upon installation of any item designated in subsection (c)(1), if the alteration or addition does not change or affect the structural system of the building, which structural system includes, but is not limited to, foundations, walls, floors, roofs, footings, bearing partitions, beams, columns or joists.

(d) Work involving matters of rates, rating and loss prevention by employees of insurance rating organizations and insurance service organizations and insurance companies and agencies.

(e) The performance of services by a licensed landscape architect or business entity issued a certificate of authorization to provide services in landscape architecture under K.S.A. 74-7036 and amendments thereto, in connection with landscape and site planning for the sites, approaches or environment for buildings, structures or facilities.

(f) For the purposes of this section:

(1) "Building" means any structure consisting of foundation, floors, walls, columns, girders, beams and roof, or a combination of any number of these parts, with or without other parts and appurtenances thereto, including the structural, mechanical and electrical systems utility services, and other facilities as may be required for the structure.

(2) "Agricultural building" means any structure designed and construed to house hay, grain, poultry, livestock or other horticultural

products and for farm storage of farming implements. Such structure shall not be a place for human habitation or a place of employment where agricultural products are processed, treated or packaged; nor shall it be a building or structure for use by the public.

History: L. 1978, ch. 326, sec. 23; L. 1980, ch. 244, sec. 10; L. 1992, ch. 240, sec. 20; Jan. 1, 1993. Effective July 1, 2009.

74-7032. Landscape architecture; exemptions from requirements for licensure or certification. The provisions of this act requiring licensure or the issuance of a certificate of authorization under K.S.A. 74-7036 and amendments thereto to engage in the practice of landscape architecture shall not be construed to prevent or to affect:

(a) The right of any individual to engage in the occupation of growing and marketing nursery stock or to use the title nurseryman, landscape nurseryman or gardener, or to prohibit any individual to plan or plant such individual's own property.

(b) The right of nurserymen to engage in preparing and executing planting plans.

(c) The practice of site development planning, in accordance with the practice of architecture, or the practice of engineering.

History: L. 1978, ch. 326, sec. 24; L. 1980, ch. 244, sec. 11; L. 1992, ch. 240, sec. 21; Jan. 1, 1993.

74-7033. Engineering; exemptions from requirements for licensure or certification. The provisions of this act requiring licensure or the issuance of a certificate of authorization under K.S.A. 74-7036 and amendments thereto to engage in the practice of engineering shall not be construed to prevent or to affect:

(a) Except as provided by subsection (b), the design or erection of any structure or work by a person who owns the structure or work, upon such person's own premises for such person's own use if the structure or work is not to be used for human habitation, is not to serve as a place of employment, and is not to be open to the public for any purpose whatsoever.

(b) Persons designing or erecting or preparing plans, drawings or specifications for one or two family dwellings or for agricultural buildings, as defined by K.S.A. 74-7031 and amendments thereto.

(c) Persons engaged in planning, drafting and designing of products manufactured for resale to the public.

(d) The performance of services by a licensed landscape architect in connection with landscape and site planning for the sites, approaches or environment for buildings, structures or facilities.

History: L. 1978, ch. 326, sec. 25; L. 1980, ch. 244, sec. 12; L. 1992, ch. 240, sec. 22; Jan. 1, 1993; L. 1999, ch. 135, sec. 1; July 1.

74-7034. Land surveying; exemptions from requirements for licensure or certification. The provisions of K.S.A. 74-7001 et seq., and amendments thereto, requiring licensure or the issuance of a certificate of authorization under K.S.A. 74-7036 and amendments thereto to engage in the practice of land surveying shall not be construed to prevent or to affect:

(a) The locating or laying out of alignments, positions or elevations where such work is part of the construction of engineering or architectural works.

(b) The practice of land surveying by an individual of such individual's own real property or that of such individual's employer for purposes other than the conveyance of an interest in such real property.

(c) The surveying on farms for agricultural purposes other than the conveyance of an interest in such farm property.

(d) The performance of services by a licensed landscape architect or by a business entity issued a certificate of authorization to provide services in landscape architecture under K.S.A. 74-7036 and amendments thereto in connection with landscape and site planning for the sites, approaches or environment for buildings, structures or facilities.

History: L. 1978, ch. 326, sec. 26; L. 1980, ch. 244, sec. 13; L. 1986, ch. 303, sec. 1; L. 1992, ch. 240, sec. 23; Jan. 1, 1993. Effective July 1, 2009.

74-7035. Act not applicable to certain practices and persons. The provisions of this act shall not apply to:

(a) The work of an employee or a subordinate of a person holding a license under this act, if such work does not include final designs or decisions, responsible charge of design or supervision and is done under the direct responsibility and supervision of a person practicing lawfully a technical profession;

(b) the practice of persons who are not residents of and have not established a place of business in this state, who are acting as consulting associates of persons licensed under the provisions of this act and who are legally qualified for such professional service in such persons' own state or country;

(c) the practice of any person who is exclusively and regularly employed by one employer only, the employer not being an engineering, architectural or land surveying firm, and the employer not being primarily engaged in the business of conveying an interest in real property, in an employer-employee relationship, in making surveys of land and determinations of physical property rights in connection only with the affairs of such employer or its subsidiaries and affiliates and for the uses, purposes and benefit of such employer, subsidiaries and affiliates, only;

(d) a plumbing contractor, master plumber or journeyman plumber licensed under the provisions of K.S.A. 12-1508 et seq., and amendments thereto, while performing the work such plumber is authorized to perform pursuant to such license; or

(e) an electrical contractor, master electrician, journeyman electrician or residential electrician licensed under the provisions of K.S.A. 12-1525 et seq., and amendments thereto, while performing the work such electrician is authorized to perform pursuant to such license.

(f) For purposes of this act, public officers and employees who, within the scope of their employment and in the discharge of their public duties, provide information pertinent to or review the sufficiency of technical submissions, or who inspect property or buildings for compliance with requirements safeguarding life, health or property, are not engaged in the practice of the technical professions.

History: L. 1978, ch. 326, sec. 27; L. 1992, ch. 240, sec. 24; Jan. 1, 1993; L. 1997, ch. 158, sec. 14; L. 1999, ch. 135, sec. 2; July 1.

74-7036. Practice of technical professions by business entity; conditions; application for certificate of authorization, contents; application fee; biennial information; business entity changes of principal, reporting; services business entity authorized to provide; application of section. (a) Notwithstanding any other provision of law, a business entity may be organized for the practice of one or more of the technical professions if:

(1) One or more principals is designated as responsible for the activities and decisions relating to the practice of such profession and is licensed to practice such profession by the board and is a regular employee of and active participant in the business entity;

(2) each person engaged in the practice of the technical profession is licensed to practice such profession by the board or is exempt from licensure under K.S.A. 74-7031 through 74-7035, and amendments thereto, or is exempt from examination for licensure in this state under K.S.A. 74-7024 and amendments thereto; and

(3) such business entity has been issued a certificate of authorization by the board.

(b) A business entity may apply to the board for a certificate of authorization, upon a form prescribed by the board, listing the names and addresses of all principals licensed to practice the technical profession and such other information as may be required by the board. The application for a certificate of authorization shall be accompanied by an application fee fixed by the board under K.S.A. 74-7009 and amendments thereto. Except as provided in subsection (e), the certificate of authorization shall be renewed biennially. The biennial renewal fee fixed by the board under K.S.A. 74-7009 and amendments thereto shall be accompanied by a form prescribed by the board providing current information. In the event of a change of any principal, such change shall be provided to the board within 30 days after the effective date of such change.

(c) If the board finds that such business entity is in compliance with all of the requirements of this section, the board shall issue a certificate of authorization to such business entity designating the technical profession for which such business entity is authorized to provide services.

(d) No business entity issued a certificate of authorization under this section shall be relieved of responsibility for the conduct or acts of its agents, employees or principals by reason of its compliance with the provisions of this section, nor shall any individual practicing a technical profession be relieved of responsibility and liability for services performed by reason of employment or relationship with such business entity. The requirements of this section shall not affect a business entity and its employees in performing services included within the term "technical professions" solely for the benefit of such business entity or subsidiary or affiliated business entities. Nothing in this section shall exempt any business entity from the provisions of any other law applicable thereto.

(e) (1) The board is hereby authorized to issue a one-time renewal of the certificate of authorization for a business entity for a one-year period under the following conditions: (A) The certificate of authorization is scheduled for renewal on or after December 31, 2010; (B) the name of the business entity begins with a letter in the last half of the alphabet; (C) the board notifies the business entity that its certificate of authorization will be renewed for one year; and (D) the fee for renewal under this subsection shall be one-half of the biennial renewal fee set forth in K.S.A. 74-7009, and amendments thereto. (2) Any certificate of authorization which has been renewed for a period of one year in accordance with this subsection shall be subsequently renewed on a biennial basis as prescribed by K.S.A. 74-7001 et seq., and amendments thereto. (3) No certificate of authorization shall be renewed for a period of one year on or after January 1, 2012.

History: L. 1980, ch. 244, sec. 1; L. 1992, ch. 240, sec. 25; Jan. 1, 1993. Effective July 1, 2009.

74-7037. Rules and regulations for control of quality of surveying. The state board of technical professions shall adopt rules and regulations prescribing minimum standards for boundary surveys, mortgage title inspection, American land title association surveys, and such other surveys as necessary to control the quality of surveying in the state of Kansas.

History: L. 1988, ch. 307, sec. 3; July 1.

74-7038. Technical submissions; limitation on acceptance or approval by public officials; building permits; invalidity; immunity from liability. A public official charged with the enforcement of any state, county or municipal building code shall not accept or approve any technical submissions involving the practice of the technical professions unless the technical submissions have been stamped with the technical professional's seal as required by this act or unless the applicant has certified on the technical submission to the applicability of a specific exception provided for in K.S.A. 74-7035 and amendments thereto permitting the preparation of the technical submissions by a person not licensed under this act. A building permit issued with respect to technical submissions which does not conform to the requirements of this act is invalid. The acceptance or approval of technical submissions or the issuance of a building permit by a public official engaged in building inspection responsibilities, contrary to the provisions of this act, shall not create liability upon the public official or the official's governmental agency.

History: L. 1992, ch. 240, sec. 26; Jan. 1, 1993.

74-7039. Civil penalties for violations; notice and hearing; disposition of fines and costs; determination of amount. (a) The state board of technical professions, in addition to any other penalty prescribed under the act governing the technical professions, may assess civil fines and costs, including attorney fees, after proper notice and an opportunity to be heard, against any person or entity for a violation of the statutes, rules and regulations or orders enforceable by the board in an amount not to exceed \$5,000 for the first violation, \$10,000 for the second violation and \$15,000 for the third violation and for each subsequent violation. All civil fines assessed and collected under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund. All costs assessed under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the technical professions fee fund.

(b) In determining the amount of penalty to be assessed pursuant to this section, the board may consider the following factors among others: (1) Willfulness of the violation; (2) repetitions of the violation; and (3) magnitude of the risk of harm caused by the violation.

History: L. 1992, ch. 240, sec. 27; Jan. 1, 1993; L. 2001, ch. 5, sec. 335; July 1.

74-7040. Rights and privileges of licensees saved. Any person licensed to practice the technical professions in the state of Kansas at the time this act takes effect shall thereafter continue to possess the same rights and privileges with respect to the practice of the technical profession for which such person is licensed without being required to obtain a new license under the provisions of this act, subject to the power of the board as provided in this act to suspend or revoke the license of any such person for any of the causes set forth in K.S.A. 74-7026 and amendments thereto, and subject to the power of the board to require any such person to renew such license as provided in K.S.A. 74-7025 and amendments thereto.

History: L. 1992, ch. 240, sec. 28; Jan. 1, 1993.

74-7041. Geologists; qualifications for licensure. (a) Minimum qualifications of applicants seeking licensure as geologists are the following: (1) Graduation from a course of study in geology, or from a program which is of four or more years' duration and which includes at least 30 semester or 45 quarter hours of credit with a major in geology or a geology specialty, that is adequate in its preparation of students for the practice of geology; (2) proof of at least four years of experience in geology of a character satisfactory to the board, as defined by rules and regulations of the board; and (3) the satisfactory passage of such examination in the fundamentals of geology and in geologic practice as utilized by the board.

(b) The board may issue an intern geologist certificate to a person who meets the education and examination qualifications prescribed by the board.

History: L. 1997, ch. 128, sec. 5; July 1. Effective July 1, 2009.

74-7042. Same; exemptions from requirements for licensure or certification. The provisions of this act requiring licensure or the issuance of a certificate of authorization under K.S.A. 74-7036 and amendments thereto to engage in the practice of geology shall not be construed to prevent or to affect:

(a) The practice of geology by any person before July 1, 2000.

(b) The practice of geology which is exclusively in the exploration for and development of energy resources and economic minerals and which does not affect the public health, safety and welfare, as determined by the board.

(c) The acquisition of engineering data, geologic data for engineering purposes and the utilization of such data by licensed professional engineers.

(d) Performance of work customarily performed by graduate physical or natural scientists.

(e) The teaching of geology in a college or university offering an approved geology curriculum.

History: L. 1997, ch. 128, sec. 6; July 1.

74-7043

History: L. 1997, ch. 128, sec. 7; July 1. Repealed July 1, 2009.

74-7044.

History: L. 1997, ch. 128, sec. 8; July 1. Repealed July 1, 2009.

74-7045.

History: L. 1997, ch. 128, sec. 9; July 1. Repealed July 1, 2009.

74-7046. Liability of licensed land surveyor. (a) A land surveyor, licensed pursuant to article 70 of chapter 74 of the Kansas Statutes Annotated, and amendments thereto, and such surveyor's authorized agents and employees may enter upon lands, waters and premises of a party who has not requested the survey when it is necessary for the purpose of making a survey. If the licensed surveyor has made a reasonable attempt to notify the person in possession, such entry shall not be deemed a trespass. Upon notice, such person in possession has the right to modify the time and other provisions of the surveyor's access upon notification to the surveyor, as long as such modifications do not unreasonably restrict completion of the survey. Nothing herein shall change the status of the licensed surveyor as an occupier of land.

(b) While conducting surveys, the licensed surveyor and such surveyor's authorized agents and employees shall carry proper identification as to such surveyor's licensure or employment and shall display such identification to anyone upon request.

(c) Neither the landowner nor the person in possession shall be liable for any injury or damage sustained by a licensed surveyor or such surveyor's authorized agents and employees entering upon such land, water or premises under the provisions of this section, except when such damages and injury were willfully or deliberately caused by the landowner or person in possession.

(d) Nothing in this section shall be construed to: (1) Remove civil liability for actual damage to such lands, waters, premises, crops or personal property; (2) give the licensed surveyor or such surveyor's authorized agents and employees the authority to enter any building or structure used as a residence or for storage; and (3) remove civil or criminal liability for intentional acts of injury or for damages to the surveyor or authorized agents and employees.

History: L. 2004, ch. 129, sec. 1; July 1.

Agency 66

Rules and Regulations

Articles

66-6. PROFESSIONAL PRACTICE.

66-6-1 to 66-6-9.

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66-14-1 to 66-14-12.

ARTICLE 1. ORGANIZATION

66-1-1. (Authorized by K.S.A. 1997 Supp. 74-7013; effective May 1, 1978; revoked May 1, 1984.)

ARTICLE 2. ARCHITECTS

66-2-1. (Authorized by K.S.A. 1977 Supp. 74-7013; effective May 1, 1978; revoked May 1, 1984.)

66-2-2 and 66-2-3. (Authorized by K.S.A. 74-7013; effective May 1, 1978; amended May 1, 1980; revoked May 1, 1984.)

66-2-4 to 66-2-6. (Authorized by K.S.A. 1977 Supp. 74-7013; effective May 1, 1978; revoked May 1, 1984.)

ARTICLE 3. ENGINEERS

66-3-1 to 66-3-5. (Authorized by K.S.A. 1977 Supp. 74-7013; effective May 1, 1978; revoked May 1, 1984.)

ARTICLE 4. LAND SURVEYORS

66-4-1 to 66-4-3. (Authorized by K.S.A. 1977 Supp. 74-7013; effective May 1, 1978; revoked May 1, 1984.)

ARTICLE 5. LANDSCAPE ARCHITECTS

66-5-1 and 66-5-2. (Authorized by K.S.A. 1977 Supp. 74-7013; effective May 1, 1978; revoked May 1, 1984.)

ARTICLE 6. PROFESSIONAL PRACTICE

66-6-1. Seals and signatures. (a) Each licensee shall obtain a seal of the design approved by the board in compliance with K.S.A. 74-7023, and amendments thereto. The seal may be a rubber stamp, an embossed seal, or a computer-generated seal.

(b) Each original drawing, document, technical report, legal description, record, and paper prepared by or under the direct supervision of the licensee in the licensee's professional capacity shall be stamped with the licensee's seal, unless the project is exempt from the requirements for licensure pursuant to K.S.A. 74-7031, K.S.A. 74-7032, K.S.A. 74-7033, K.S.A. 74-7034, or K.S.A. 74-7042, and amendments thereto.

After the licensee's seal has been applied to the original or record copy, the licensee shall place the licensee's handwritten signature and date across the seal.

(c) (1) Any licensee may use a digital signature if the signature meets all of the following requirements:

(A) Is unique to the person using it;

(B) is able to be verified;

(C) is under the sole control of the person using it; and

(D) is linked to an electronic document bearing the digital signature in such a manner that the signature is invalidated if any data in the document is altered.

(2) Each displayed copy of, and each hard copy printed from, a transmitted or stored electronic document containing a digital signature shall bear the facsimile of the signature, date of signing, and seal and shall be a confirmation that the electronic document was not altered after the initial digital signing of the document. If the electronic document is altered, the facsimile of the signature, date, and seal shall be caused to be voided.

(Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7023; effective May 1, 1978; amended May 1, 1984; amended May 1, 1985; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 13, 1995; amended March 1, 1996; amended February 6, 1998; amended Nov. 2, 2001; amended March 28, 2008.)

66-6-2. (Authorized by K.S.A. 1977 Supp. 74-7013; effective May 1, 1978; revoked May 1, 1984.)

66-6-3. (Authorized by and implementing K.S.A. 74-7013; effective May 1, 1978; amended May 1, 1984; amended May 4, 1992; revoked Feb. 22, 1993.)

66-6-4. Professional conduct. (a) For the purposes of this regulation, “licensee” shall mean an architect, a geologist, a landscape architect, a land surveyor, or a professional engineer licensed by the Kansas state board of technical professions.

(b) If any licensee’s professional judgment has been disregarded under circumstances in which the safety, health, or welfare of the public is endangered, the licensee shall inform the employer or client of the possible consequences, and the licensee shall notify the authority who issued the building permit or otherwise has jurisdiction.

(c) The licensee shall not advertise to perform or undertake to perform any assignment involving a specific technical profession unless the licensee is licensed and qualified by education and experience in that technical profession, as defined in K.S.A. 74-7003, and amendments thereto.

(d) A licensee in any technical profession shall not affix a personal or digital signature, seal, or both to any plan or document dealing with subject matter that is outside of the licensee’s field of practice as defined by K.S.A. 74-7003, and amendments thereto. Additionally, as provided in K.S.A. 74-7023 and amendments thereto, a licensee in any technical profession shall not affix a personal or digital signature, seal, or both to any plan or document of any individual licensed in a technical profession in another state, unless the licensee has completed a detailed review and evaluation of the documents and both individuals are licensed in the same field of practice.

(e) If the competence of any licensee to perform an assignment in a specific technical field is at issue, the licensee may be required by the board to pass an appropriate examination.

(f) In all professional reports, statements, and testimony, each licensee shall meet the following criteria:

- (1) Be completely objective and truthful; and
- (2) include all relevant and pertinent information.

(g) When serving as an expert or technical witness before any court, commission, or other tribunal, each licensee shall express only opinions founded on the following:

- (1) An adequate knowledge of the facts at issue;
- (2) a background of technical competence in the subject matter; and
- (3) an actual, good-faith belief in the accuracy and propriety of the licensee’s testimony.

(h) If a licensee issues any statements, criticisms, or arguments on public policy matters that are inspired or paid for by any interested party or parties, those comments shall be prefaced by and include disclosure of the following:

- (1) The identities of the party or parties on whose behalf the licensee is speaking; and
- (2) the existence of any pecuniary interest of the licensee.

(i) Each licensee shall disclose all known or potential conflicts of interest to employers or clients by promptly informing them of any business association, interest, or any other circumstances that could influence that licensee’s judgment or the quality of the licensee’s services.

(j) A licensee shall not accept compensation, financial or otherwise, from more than one party for services on the same project or for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to by all interested parties.

(k) A licensee shall not solicit or accept financial or other valuable consideration, directly or indirectly, from either of the following:

- (1) Material or equipment suppliers for specifying their products; or
- (2) contractors, their agents, or other parties in connection with work for employers or clients for which the licensee is responsible.

(l) A licensee shall not solicit a contract from a governmental body on which a principal or officer of the licensee’s organization serves as a member, except upon public disclosure of all pertinent facts and circumstances and consent of the appropriate public authority.

(m) A licensee shall not offer, directly or indirectly, to pay a commission or other consideration or to make a political contribution or other gift in order to secure work, except for payment made to an employment agency for its services.

(n) In all contacts with prospective or existing clients or employers, each licensee shall accurately represent the licensee’s qualifications and the scope of the licensee’s responsibility in connection with work for which the licensee is claiming credit.

(o) A licensee shall not be associated with, or permit the use of the licensee’s personal name or firm name in, a business venture being performed by any person or firm that the licensee knows, or has reason to believe, is engaging in either of the following:

- (1) Business or professional practice of a fraudulent or dishonest nature; or
- (2) a violation of K.S.A. 74-7001 *et seq.*, and amendments thereto, or the regulations promulgated and adopted by the board, or both.

(p) Each licensee with knowledge of any alleged violation of K.S.A. 74-7001 *et seq.*, and amendments thereto, or the regulations promulgated and adopted by the board, or both, shall report the alleged violation to the board.

(q) Each licensee shall cooperate with the board in its investigation of complaints or possible violations of K.S.A. 74-7001 *et seq.*, and amendments thereto, and the regulations of the board. This cooperation shall include responding timely to written communications from the board, providing any information or documents requested within 30 days of the date on which the communication was mailed, and appearing before the board or its designee upon request.

(r) A licensee shall not assist any person in applying for licensure if the licensee knows that person to be unqualified with respect to education, training, experience, or character.

(s) Conviction of a felony or the revocation or suspension of a professional license by another jurisdiction, if for a cause that in the state of Kansas would constitute a violation of Kansas law or of these regulations, or both, shall constitute unprofessional conduct.

(t) A licensee shall not violate any order of the board.

(u) Each land surveyor shall comply with the minimum standards for the practice of land surveying adopted by reference in K.A.R. 66-12-1.

(v) Each licensee shall take appropriate measures to ensure that the licensee’s drawings and specifications meet the following requirements:

(1) Remain the property of the licensee regardless of whether the project contemplated was executed;
(2) are not utilized for projects that were not contemplated at the time of the completion of the drawings and specifications; and
(3) are not used by the client on any other projects, including additions to the contemplated project, unless the licensee defaults or agrees in writing to this use. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7013, 74-7023, and 74-7026; effective May 1, 1978; amended May 1, 1984; amended May 1, 1985; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 13, 1995; amended Feb. 4, 2000; amended Feb. 9, 2001; amended Nov. 2, 2001; amended Feb. 4, 2005; amended Jan. 5, 2007; amended March 28, 2008.)

66-6-5. (Authorized by K.S.A. 1977 Supp. 74-7013; modified by L. 1978, ch. 457; revoked May 1, 1984.)

66-6-6. Renewal of licenses and certificates of authorization. (a) Each licensee whose last name begins with one of the letters A through L shall renew the license in even-numbered years. Each licensee whose last name begins with one of the letters M through Z shall renew the license in odd-numbered years. A notice shall be issued by the board to each licensee during the appropriate renewal year, and not later than 30 days before the following expiration dates:

- (1) Architects June 30;
- (2) engineers April 30;
- (3) land surveyors March 31;
- (4) landscape architects December 31; and
- (5) geologists June 30.

(b) Each business entity whose name begins with one of the letters A through L shall renew its certificate of authorization in even-numbered years. Each business entity whose name begins with one of the letters M through Z shall renew its certificate of authorization in odd-numbered years. A notice shall be issued by the board to each business entity during the appropriate renewal year, and not later than 30 days before the December 31 expiration date. (Authorized by K.S.A. 74-7013, as amended by L. 2009, Ch. 94, §3; implementing K.S.A. 74-7025, as amended by L. 2009, Ch. 94, §8, and K.S.A. 74-7036, as amended by L. 2009, Ch. 94, §13; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended March 1, 1996; amended Feb. 4, 2000; amended Nov. 6, 2009.)

66-6-7. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7025; effective May 1, 1984; amended May 4, 1992; revoked Feb. 22, 1993.)

66-6-8. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7025; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended Feb. 13, 1995; revoked Nov. 6, 2009.)

66-6-9. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7025; effective May 1, 1984; amended May 1, 1985; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended Feb. 13, 1995; revoked Nov. 6, 2009.)

ARTICLE 7. APPLICATIONS

66-7-1. Applications. (a) In addition to the appropriate, completed application form and fee, each applicant shall also submit the following:

- (1) An official transcript to verify any educational credit; and
- (2) verification of any practical experience for which credit is claimed on reference forms approved by the board and forwarded directly to the board office by the individual providing the reference.

(b) Each applicant for a license by reciprocity shall also submit the following:

- (1) Verification of any exams previously taken; and
- (2) verification of a current active license. (Authorized by K.S.A. 2010 Supp. 74-7013; implementing K.S.A. 2010 Supp. 74-7018; effective May 1, 1984; amended May 4, 1992; amended Jan. 6, 2012.)

66-7-2. Application for certificate of authorization. (a) A separate application shall be submitted for each technical profession for which a business entity wishes to become authorized.

(b) Each application submitted by a foreign business entity shall be accompanied by the following:

- (1) A copy of the formation documents from the home state; and
- (2) a copy of the certificate of authority to do business in the state of Kansas from the Kansas secretary of state if qualified pursuant to K.S.A. 17-7301 et seq., and amendments thereto, or if exempt pursuant to K.S.A. 17-7303, 17-76,121a, or 56a-1104 et seq., and amendments thereto.

(c) Each application submitted by a domestic business entity shall be accompanied by a copy of the formation documents and a certificate of good standing from the Kansas secretary of state. (Authorized by K.S.A. 74-7013, as amended by L. 2009, Ch. 94, §3; implementing K.S.A. 74-7036, as amended by L. 2009, Ch. 94, §13; effective May 1, 1984; amended May 4, 1992; amended Feb. 5, 1999; amended Feb. 4, 2000; amended Nov. 6, 2009.)

66-7-3. Denial of initial application for license. When evaluating an application for licensure, the following additional factors concerning

the applicant shall be considered by the board:

- (a) whether the applicant has committed any fraud or misrepresentation in the information contained in or supporting the application;
- (b) whether the applicant has been convicted of a felony as stated in K.S.A. 74-7026;
- (c) whether the applicant has engaged in acts which would constitute a violation of K.A.R. 66-6-4 or the statutes contained in K.S.A. 74-7001 through K.S.A. 74-7040 under the jurisdiction of the board;
- (d) whether the applicant has been disciplined by the licensing agency or other regulatory or authoritative entity of any other jurisdiction; and
- (e) any other factors that the board may consider pertinent to the issuance of an initial license. (Authorized by K.S.A. 74-7004, as amended by L. 1995, ch. 104, sec. 4; K.S.A. 74-7018, K.S.A. 74-7019, K.S.A. 74-7020, K.S.A. 74-7021, K.S.A. 74-7022, and K.S.A. 74-7023; implementing K.S.A. 74-7007, as amended by L. 1995, ch. 104, sec. 5; and K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; effective Feb. 13, 1995; amended March 1, 1996.)

ARTICLE 8. EXAMINATIONS

66-8-1. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7017; effective May 1, 1984; amended May 4, 1992; amended March 1, 1996; revoked Nov. 6, 2009.)

66-8-2. Architectural examination. (a) The examination required of an applicant for architectural licensure shall be the architectural registration examination as prepared by the national council of architectural registration boards (NCARB).

(b) The examination shall be graded by the NCARB, subject to approval by the board.

(c) Each applicant who has passed a section or sections of previous registration examinations shall be granted transfer credits in accordance with the rules approved by the board. These rules shall be available from the board upon request.

(d) Each applicant for a professional license shall take and pass all sections of the architectural examination and meet the architectural experience requirements under K.S.A. 74-7019. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7017; effective May 1, 1984; amended May 1, 1985; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994.)

66-8-3. Engineering examinations. (a) The examination required of each applicant for engineering licensure shall be the national council of examiners for engineering and surveying (NCEES) examination consisting of an engineering fundamentals section and a professional practice section.

(b) The examination shall be graded by the NCEES, subject to approval by the board.

(c) Each applicant for a professional license shall be required to pass the section on engineering fundamentals, meet the educational requirements under K.A.R. 66-9-4, and meet the professional engineering experience requirements under K.S.A. 74-7021 and amendments thereto before submitting an application to take the section on professional practice. (Authorized by K.S.A. 2012 Supp. 74-7013; implementing K.S.A. 74-7017, K.S.A. 2012 Supp. 74-7021 and K.S.A. 2012 Supp. 74-7023; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended Nov. 6, 2009; amended Dec. 27, 2013.)

66-8-4. Land surveyor examinations. (a) The examinations required of each applicant for land surveying licensure shall be the following:

(1) The national council of examiners for engineering and surveying (NCEES) examinations covering the following:

- (A) The fundamentals of surveying; and
- (B) the principles and practices of surveying; and

(2) an examination covering Kansas surveying laws and practices.

(b) The fundamentals and the principles and practices of surveying examinations shall be graded by the NCEES, subject to approval by the board.

(c) Each applicant who has passed one or more sections of previous registration examinations may be granted transfer credits if approved by the board.

(d) Each applicant for a professional license as a land surveyor shall be required to pass the section on the fundamentals of surveying and shall meet the professional land surveying experience requirements under K.S.A. 74-7022, and amendments thereto, before submitting an application to take the section on professional practice. (Authorized by K.S.A. 74-7013, as amended by L. 2009, Ch. 94, §3; implementing K.S.A. 74-7017, K.S.A. 74-7022, as amended by L. 2009, Ch. 94, §6, and K.S.A. 74-7023, as amended by L. 2009, Ch. 94, §7; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended Feb. 13, 1995; amended Nov. 1, 2002; amended Feb. 3, 2006; amended Nov. 6, 2009.)

66-8-5. Landscape architectural examinations. (a) The examination required of an applicant for landscape architectural licensure shall be the landscape architect registration examination as prepared by the national council of landscape architectural registration boards (CLARB).

(b) The landscape architect registration examination shall be graded by the CLARB, subject to approval by the board.

(c) Each applicant who has passed any sections of previous registration examinations may be granted transfer credits if approved by the board.

(d) Each applicant for a professional license shall be required to take and pass all sections of the landscape architect examinations and to meet the landscape architectural experience requirements pursuant to K.S.A. 74-7020, and amendments thereto. (Authorized by K.S.A.

74-7013; implementing K.S.A. 74-7017; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended Feb. 6, 2004.)

66-8-6. Reexamination. (a) Any applicant for a license to practice engineering, land surveying, or geology who fails an examination on the first attempt may take the examination two additional times, except as specified in subsections (b) and (c). (b) Except as specified in subsection (c), the fourth and any subsequent attempts by an applicant to retake an examination may be allowed by the board if the applicant establishes that the areas of deficiency identified in the examination failure report provided by the testing administrator have been addressed through either of the following: (1) Additional coursework; or (2) experience under the supervision of a person licensed in the technical profession for which the applicant is seeking licensure. (c) Any applicant's examination results may be rejected by the board and permission to retake an examination may be withheld by the board upon a report by the testing administrator of any possible violation by the applicant of the provisions of any candidate testing agreement regarding examination irregularities. (d) Each applicant shall submit the appropriate fee for each examination. (Authorized by K.S.A. 2012 Supp. 74-7013; implementing K.S.A. 2012 Supp. 74-7009 and 74-7023; effective May 1, 1984; amended May 4, 1992; amended June 18, 2010; amended Dec. 27, 2013.)

66-8-7. Geology examinations. (a) The examination required of each applicant for geology licensure shall be the national association of state boards of geology (ASBOG®) examination, consisting of a geology fundamentals section and a geologic practice section.

(b) The examination shall be graded by the ASBOG®, subject to approval by the board.

(c) Each applicant for a professional license shall be required to pass the section on geology fundamentals and shall meet the professional geology experience requirements under K.S.A. 74-7041, and amendments thereto, before submitting an application to take the section on geologic practice. (Authorized by K.S.A. 74-7013, as amended by L. 2009, Ch. 94, §3; implementing K.S.A. 74-7017, K.S.A. 74-7023, as amended by L. 2009, Ch. 94, §7, and K.S.A. 74-7041, as amended by L. 2009, Ch. 94, §14; effective Feb. 4, 2000; amended Nov. 6, 2009.)

66-8-8. Examination standards acceptable to the board for reciprocity applicants. (a) The reexamination of an applicant from another jurisdiction shall not be required for a license by reciprocity if that jurisdiction's examination requirements would have met the Kansas requirements in effect on the date when the applicant's original license was issued.

(b) Another jurisdiction's examination requirements may be accepted by the board if that jurisdiction did not require the national examination when the applicant was originally licensed.

(c) In order to meet the standard acceptable to the board, each applicant for a license by reciprocity as a land surveyor shall be required to demonstrate proficiency in Kansas land surveying laws and practices. This proficiency shall be presumed by the board upon the applicant's successful completion of the examination as specified in K.A.R. 66-8-4(a)(2). (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7024; effective Feb. 4, 2005; amended Jan. 5, 2007.)

ARTICLE 9. EDUCATION

66-9-1. Architectural curriculum approved by the board. "A college or university program that is adequate in its preparation of students for the practice of architecture" means a baccalaureate or master's curriculum accredited by the national architectural accreditation board (NAAB). Any other architectural curriculum which has not been accredited by NAAB but has been evaluated and found to be of an equivalent standard, may be reviewed and accepted by the board. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7019; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994.)

66-9-2. Landscape architectural curriculum approved by the board. "A college or university program that is adequate in its preparation of students for the practice of landscape architecture" means a baccalaureate or master's curriculum accredited by the landscape architectural accreditation board (LAAB). Any landscape architectural curriculum which has not been accredited by LAAB but has been evaluated and found to be of an equivalent standard, may be reviewed and accepted by the board. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7020; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994.)

66-9-3. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7021; effective May 1, 1984; amended May 4, 1992; revoked Feb. 22, 1993.)

66-9-4. Engineering curriculum approved by the board. "A college or university program that is adequate in its preparation of students for the practice of engineering" shall mean any of the following:

(a) A baccalaureate engineering curriculum accredited by the engineering accreditation commission of the accreditation board for engineering and technology (EAC/ABET);

(b) a curriculum for a master's degree or doctorate in engineering, if all college coursework is reviewed and approved by the board and found to be of a standard equivalent to that of an ABET-accredited baccalaureate engineering curriculum; or

(c) a baccalaureate engineering curriculum outside the United States that has not been accredited by ABET but meets the following requirements:

(1) Is evaluated by an organization approved by the board and found to be of a standard equivalent to that of ABET; and

(2) is reviewed and approved by the board. (Authorized by K.S.A. 74-7013, as amended by L. 2009, Ch. 94, §3; implementing K.S.A. 74-7021, as amended by L. 2009, Ch. 94, §5; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb.

14, 1994; amended Feb. 4, 2000; amended Feb. 3, 2006; amended Nov. 6, 2009.)

66-9-5. Surveying curriculum approved by the board. Any applicant seeking licensure as a land surveyor may fulfill the education requirement by any of the following:

- (a) Graduation from an approved engineering curriculum as defined in K.A.R. 66-9-4;
- (b) graduation from a four-year land surveying baccalaureate curriculum accredited by the accreditation board for engineering and technology (ABET);
- (c) graduation from an approved land surveying curriculum of two years from a school or college approved by the board;
- (d) graduation from an approved four-year related science curriculum, which may include geology, mathematics, chemistry, or physics; or
- (e) successful completion of the board's "land surveying curriculum," which was approved by the board on December 8, 2006 and is hereby adopted by reference. (Authorized by K.S.A. 74-7013 and 74-7022; implementing K.S.A. 74-7022; effective Feb. 22, 1993; amended Feb. 14, 1994; amended Nov. 1, 2002; amended June 29, 2007.)

66-9-6. Geology curriculum approved by the board. Graduation from a course of study in geology shall mean successful completion of a baccalaureate or a master's degree in geology that meets the requirements of K.S.A. 74-7041, and amendments thereto. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7041; effective Feb. 4, 2000; amended Feb 4, 2005.)

66-9-7. Educational standard acceptable to the board for reciprocity applicants. For purposes of K.S.A. 74-7024 and amendments thereto, the following shall apply:

- (a) Each applicant for a license to practice engineering, surveying, landscape architecture, or geology by reciprocity shall be deemed to have met the educational standard acceptable to the board if the applicant's educational qualifications when the original license was issued would have met the Kansas requirements in effect on that date.
- (b) Each applicant for a license to practice architecture by reciprocity shall provide proof of certification by the national council of architectural registration boards (NCARB). The requirements for this certification shall be those specified in sections one through six on pages 11-16 of the "certification guidelines," published by the national council of architectural registration boards and revised July 2012. These six sections are hereby adopted by reference. (Authorized by K.S.A. 2012 Supp. 74-7013; implementing K.S.A. 74-7024; effective Feb. 4, 2005; amended Jan. 6, 2012; amended Dec. 27, 2013.)

ARTICLE 10. EXPERIENCE

66-10-1. Architectural experience of a character satisfactory to the board. Each applicant shall complete the intern development program (IDP) as specified on pages 9-20 in the "intern development program guidelines," dated November 2012 and published by the national council of architectural registration boards (NCARB). These pages are hereby adopted by reference. Each applicant shall provide a completed record of architectural experience prepared by the NCARB. (Authorized by K.S.A. 2012 Supp. 74-7013, and K.S.A. 74-7019; implementing K.S.A. 74-7019; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended Feb. 13, 1995; amended March 1, 1996; amended February 6, 1998; amended Feb. 9, 2001; amended Nov. 1, 2002; amended Feb. 3, 2006; amended March 28, 2008; amended Nov. 6, 2009; amended June 18, 2010; amended Jan. 6, 2012; amended Dec. 27, 2013.)

66-10-2. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7019; effective May 1, 1984; amended May 4, 1992; revoked Feb. 22, 1993.)

66-10-3. Architectural experience required of a reciprocity applicant. Each applicant for a license to practice architecture by reciprocity shall provide proof of certification by the national council of architectural registration boards (NCARB), for approval by the board. The requirements for this certification shall be those specified in the portions of the "certification guidelines" adopted by reference in K.A.R. 66-9-7. (Authorized by K.S.A. 2012 Supp. 74-7013; implementing K.S.A. 74-7019; effective May 1, 1984; amended May 1, 1985; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended Feb. 13, 1995; amended Jan. 6, 2012; amended Dec. 27, 2013.)

66-10-4. Landscape architecture work experience of a character satisfactory to the board. (a) The work experience required of each applicant shall expose the applicant to all phases of work integral to the practice of landscape architecture, and shall be verified as set forth in paragraph (b)(1)(B) of this regulation.

- (b)(1) Landscape architectural work experience shall meet the following conditions:
 - (A) Fall within the definition of "the practice of landscape architecture" under K.S.A. 74-7003 and amendments thereto; and
 - (B) if performed after February 22, 1993, be supervised and verified by a licensed landscape architect, architect, or engineer.
- (2) Beginning April 1, 1995, each applicant for examination shall provide a record of landscape architectural experience that has been compiled and transmitted by the council of landscape architectural boards (CLARB).
- (3) Beginning July 1, 2001, each applicant for reciprocity shall provide a record of landscape architectural experience that has been compiled and transmitted by the council of landscape architectural boards (CLARB).

(c) The following guidelines shall be used to assign credit for work experience.

(1) A master's degree in landscape architecture may equal one year of credit toward the four-year experience requirement for a graduate of an accredited, four-year curriculum in landscape architecture.

(2) Each applicant who is a graduate of an accredited, master's level curriculum in landscape architecture as the first professional degree shall be considered by the board to be equivalent to a graduate of a five-year curriculum and shall meet the experience requirements of that curriculum as specified in K.S.A. 74-7020 and amendments thereto.

(3) Teaching landscape architecture in a college or university that offers an approved landscape architectural curriculum of four years or more may be considered landscape architectural experience.

(4) Credit may be given for 50% of the verified work experience obtained after a student had achieved "junior status" in an LAAB-accredited landscape architectural curriculum. Credit for this work experience shall not exceed one year.

(d) Each applicant shall supply at least three references from licensed landscape architects who are familiar with the applicant's landscape architectural experience. (Authorized by K.S.A. 1999 Supp. 74-7013; implementing K.S.A. 74-7020; effective May 1, 1984; amended May 1, 1985; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended Feb. 13, 1995; amended Feb. 9, 2001.)

66-10-5. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7021; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; revoked Feb. 13, 1995.)

66-10-6. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7021; effective May 1, 1984; amended May 1, 1985; amended May 4, 1992; revoked Feb. 22, 1993.)

66-10-7. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7021; effective May 1, 1984; amended May 4, 1992; revoked Feb. 22, 1993.)

66-10-8. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7021; effective May 1, 1984; amended May 4, 1992; revoked Feb. 22, 1993.)

66-10-9. Engineering experience of a character that is satisfactory to the board. (a) The work experience required of each applicant shall expose the applicant to all phases of work integral to the discipline of engineering in which the applicant claims qualification to practice and shall be verified as specified in paragraph (b)(2).

(b) Engineering work experience shall meet the following requirements:

(1) Fall within the definition of "the practice of engineering" pursuant to K.S.A. 74-7003, and amendments thereto;

(2) be directly supervised and verified by a licensed professional engineer. However, direct supervision by a licensed professional engineer shall not be required of the employees of any person, firm, or corporation not offering services in the technical professions to the public, although verification by the applicant's supervisor shall still be required; and

(3) include at least two years of work experience, which shall have been gained in the United States.

(c) The following requirements and provisions shall be used to assign credit for work experience:

(1) The applicant shall demonstrate four years of acceptable work experience.

(2) One year of credit toward the experience requirement may be given for a master's or doctoral degree in engineering, unless that degree is used to satisfy the educational requirement described in K.A.R. 66-9-4(b). Credit for concurrent experience shall not be granted if the applicant is working full-time while earning a master's degree and that master's degree is received less than four calendar years from the date of the baccalaureate degree.

(3) Teaching engineering at a college or university that offers an engineering curriculum accredited by the engineering accreditation commission of the accreditation board for engineering and technology (EAC/ABET) of four years or more may be considered engineering experience.

(4) Work experience credit shall not be allowed for work performed before graduation with the baccalaureate degree.

(d) Each applicant shall supply at least three references from professional engineers who are licensed in the United States and are familiar with the applicant's engineering experience. (Authorized by K.S.A. 2012 Supp. 74-7013; implementing K.S.A. 2012 Supp. 74-7021; effective May 1, 1984; amended April 9, 1990; amended May 4, 1992; amended Feb. 14, 1994; amended Feb. 13, 1995; amended Nov. 1, 2002; amended Feb. 3, 2006; amended Jan. 5, 2007; amended Nov. 6, 2009; amended Dec. 27, 2013.)

66-10-10. Surveying experience required of a graduate of an accredited engineering curriculum. Each graduate of an accredited engineering curriculum, as defined by K.A.R. 66-9-4, shall provide a verified record of six years of surveying experience as specified by K.S.A. 74-7022(a). At least four years of experience shall have been in progressive land surveying, as defined in K.A.R. 66-10-12(b)(1). (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7022; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 13, 1995.)

66-10-10a. Surveying experience required of applicant who completes land surveying curriculum or is a graduate of an approved land surveying curriculum. (a) Each graduate of a four-year land surveying curriculum, as described in K.A.R. 66-9-5(b), shall be required to provide documentation of four years of surveying experience, as required by K.S.A. 74-7022(a), and amendments thereto. The

four years of experience shall have been in progressive land surveying, as described in K.A.R. 66-10-12(b)(1).

(b) Each person who has successfully completed the land surveying curriculum specified in K.A.R. 66-9-5(e) and each graduate of an approved land surveying curriculum of two years, as specified in K.A.R. 66-9-5(c), shall be required to provide documentation of six years of surveying experience, as required by K.S.A. 74-7022(a), and amendments thereto. At least four years of experience shall have been in progressive land surveying as specified in K.A.R. 66-10-12(b)(1), and the remainder shall have been in either progressive land surveying or basic land surveying, as specified in paragraphs (b)(2), (3), and (4) of K.A.R. 66-10-12. (Authorized by K.S.A. 74-7013 and 74-7022; implementing K.S.A. 74-7022; effective Feb. 22, 1993; amended Feb. 13, 1995; amended Jan. 5, 2007; amended June 29, 2007.)

66-10-10b. Surveying experience required of a graduate in a four-year related science curriculum other than land surveying or engineering. Each graduate of a four-year curriculum considered by the board to be related to land surveying, which may include geology, mathematics, chemistry, or physics, shall provide a verified record of six years of surveying experience as specified by K.S.A. 74-7022(a), and amendments thereto. At least four years of this experience shall have been in progressive land surveying, as defined in K.A.R. 66-10-12(b)(1).

(Authorized by K.S.A. 2001 Supp. 74-7013; implementing K.S.A. 74-7022; effective Nov. 1, 2002.)

66-10-11. Surveying experience required of an applicant who is not a graduate of a surveying curriculum approved by the board. Through June 30, 2012, each applicant for a land surveyor license under K.S.A. 74-7022, and amendments thereto, who has not fulfilled the educational requirements of K.A.R. 66-9-5 shall provide a verified record of eight years of land surveying experience. At least six years shall have been in progressive land surveying, as defined in K.A.R. 66-10-12, and the remainder shall have been in either progressive or basic land surveying, as defined in K.A.R. 66-10-12. (Authorized by K.S.A. 74-7013 and 74-7022; implementing K.S.A. 74-7022; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 13, 1995; amended Feb. 9, 2001; amended Feb. 3, 2006.)

66-10-12. Surveying experience of a character satisfactory to the board. (a) (1) Land surveying experience shall meet the following criteria:

(A) Fall within the definition of “the practice of land surveying” in K.S.A. 74-7003, and amendments thereto; and

(B) be under the direct supervision of a licensed land surveyor for work performed after May 1, 1988.

(2) Each applicant shall supply at least three references from licensed land surveyors or licensed professional engineers who are familiar with the applicant’s land surveying experience. At least one reference shall be from a licensed land surveyor.

(b) The following requirements shall be used to assign credit for work experience.

(1) Progressive land surveying experience shall include each of the following elements of professional land surveying:

(A) Project management;

(B) research;

(C) measurements and locations;

(D) computations and analysis;

(E) legal principles and reconciliation;

(F) land planning and design;

(G) monumentation; and

(H) documentation and land information systems.

(2) Land surveying experience normally identified with engineering projects, including construction staking, curb and gutter projects, sanitary sewers, and design surveys for highways or bridges other than those that relate to right-of-way surveys, shall not be considered progressive land surveying experience. This experience, however, may be considered by the board as basic land surveying experience.

(3) Teaching experience in land surveying courses in an accredited engineering or land surveying curriculum may be considered as equal to one year of basic land surveying experience.

(4) Through June 30, 2012, if an applicant provides a record of surveying courses or related technical education courses, including mathematics, drafting, geology, chemistry, and physics, the applicant may be given credit for 0.5 years of experience in basic land surveying for every 15 semester hours of these educational courses.

(Authorized by K.S.A. 74-7013 and 74-7022; implementing K.S.A. 74-7022; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 13, 1995; amended Feb. 4, 2000; amended Feb. 9, 2001; amended Nov. 2, 2001; amended Feb. 3, 2006.)

66-10-13. Geology experience of a character that is satisfactory to the board. (a) The work experience required of each applicant shall expose the applicant to all phases of work integral to the discipline of geology in which the applicant claims qualification to practice and shall be verified as specified in paragraph (b)(2).

(b) Geology experience shall meet the following requirements:

(1) Fall within the definition of “the practice of geology” in K.S.A. 74-7003, and amendments thereto; and

(2) be directly supervised and verified by a licensed geologist for work performed after July 1, 2000. However, direct supervision by a licensed geologist shall not be required of the employees of any person, firm, or corporation that does not offer services in the technical professions to the public, although verification by the applicant’s supervisor shall still be required.

(c) The following shall be used to assess credit for work experience:

(1) Experience credit shall not be allowed for work performed before graduation.

(2) One year of credit toward the experience requirement may be given for a master's degree in geology or in a closely related specialty area acceptable to the board.

(3) Teaching geology in a college or university that offers a geology curriculum of four years or more approved by the board may be considered geology experience.

(d) Each applicant shall supply at least three references from licensed geologists or licensed professional engineers who are familiar with the applicant's geology experience. At least two of these references shall be licensed geologists. One of the three references may be a licensed professional engineer. (Authorized by K.S.A. 2012 Supp. 74-7013; implementing K.S.A. 2012 Supp. 74-7041; effective Feb. 4, 2000; amended Feb. 9, 2001; amended Nov. 2, 2001; amended Nov. 1, 2002; amended Dec. 27, 2013.)

66-10-14. Professional engineering, land surveying, and geology experience standards acceptable to the board for reciprocity applicants. (a) Each applicant for an engineering license by reciprocity shall meet the following requirements:

(1) Provide verification from the employer of at least four years of experience in the practice of engineering, as defined in K.S.A. 74-7003 and amendments thereto. One year of credit toward the experience requirement may be given for a master's or doctoral degree in engineering; and

(2) supply at least three references from professional engineers who are licensed in the United States and are familiar with the applicant's engineering experience.

(b) Each applicant for a land surveying license by reciprocity shall meet the following requirements:

(1) Provide verification from the employer of at least eight years of land surveying experience or education, or a combination of these, pursuant to K.S.A. 74-7022 and amendments thereto, K.A.R. 66-10-10, K.A.R. 66-10-10a, K.A.R. 66-10-10b, and K.A.R. 66-10-11; and

(2) supply at least three references from licensed land surveyors or licensed professional engineers who are familiar with the applicant's land surveying experience. At least one reference shall be from a licensed land surveyor.

(c) Each applicant for a geology license by reciprocity shall meet the following requirements:

(1) Provide verification from the employer of at least four years of experience in the practice of geology, as defined in K.S.A. 74-7003 and amendments thereto. One year of credit toward the experience requirement may be given for a master's degree in geology or in a closely related specialty area acceptable to the board; and

(2) supply at least three references from licensed geologists or licensed professional engineers who are familiar with the applicant's geology experience. At least two of these references shall be from licensed geologists. One of the three references may be from a licensed professional engineer. (Authorized by K.S.A. 2012 Supp. 74-7013, 74-7021, 74-7022, and 74-7041; implementing K.S.A. 2012 Supp. 74-7018, K.S.A. 2012 Supp. 74-7021, K.S.A. 2012 Supp. 74-7022, K.S.A. 74-7024, and K.S.A. 2012 Supp. 74-7041; effective Feb. 4, 2005; amended Feb. 3, 2006; amended Nov. 6, 2009; amended Dec. 27, 2013.)

ARTICLE 11. INTERN CERTIFICATION AND ADMISSION TO THE FUNDAMENTALS EXAMINATION

66-11-1. Intern engineer certificate. An intern engineer certificate shall be issued to each individual who meets the following requirements:

(a) Passes the examination in the fundamentals of engineering as administered by the national council of examiners for engineering and surveying (NCEES);

(b) submits proof of completion of a baccalaureate engineering curriculum or equivalent as described in K.A.R. 66-9-4; and

(c) submits an application, on a form provided by the board, that is approved by the board. (Authorized by K.S.A. 2012 Supp. 74-7013; implementing K.S.A. 2012 Supp. 74-7021; effective May 1, 1984; amended May 4, 1992; amended Feb. 14, 1994; amended Nov. 6, 2009; amended Dec. 27, 2013.)

66-11-1a. Intern geologist certificate. An intern geologist certificate shall be issued to each individual who meets both of the following requirements:

(a) Passes the examination in the fundamentals of geology as administered by the national association of state boards of geology (ASBOG®); and

(b) submits proof of completion of a baccalaureate or master's degree in geology pursuant to K.A.R. 66-9-6. (Authorized by K.S.A. 74-7013, as amended by L. 2009, Ch. 94, §3; implementing K.S.A. 74-7041, as amended by L. 2009, Ch. 94, §14; effective Nov. 1, 2002; amended Nov. 6, 2009.)

66-11-1b. Intern land surveyor certificate. An intern land surveyor certificate shall be issued to each individual who meets both of the following requirements:

(a) Passes the examination in the fundamentals of surveying as administered by the national council of examiners for engineering and surveying (NCEES); and

(b) submits proof of completion of the surveying curriculum described in K.A.R. 66-9-5. (Authorized by K.S.A. 74-7013, as amended by L. 2009, Ch. 94, §3; implementing K.S.A. 74-7022, as amended by L. 2009, Ch. 94, §6; effective Nov. 1, 2002; amended

Nov. 6, 2009.)

66-11-2. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7021 and 74-7023; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 14, 1994; amended Jan. 5, 2007; revoked Dec. 27, 2013.)

66-11-3. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7021; effective May 1, 1984; amended May 4, 1992; amended Feb. 22, 1993; revoked Feb. 13, 1995.)

66-11-4. Admission requirements for fundamentals of geology examination. (a) Each application shall be reviewed by the board to determine whether the requirements for examination have been met. Once the board establishes that the requirements have been met, the applicant shall be allowed to sit for the examination.

(b) The requirements for admission shall be either of the following:

(1) Senior status in a geology curriculum described in K.A.R. 66-9-6; or

(2) completion of a geology curriculum described in K.A.R. 66-9-6. (Authorized by K.S.A. 74-7013, as amended by L. 2009, Ch. 94, §3; implementing K.S.A. 74-7023, as amended by L. 2009, Ch. 94, §7 and K.S.A. 74-7041, as amended by L. 2009, Ch. 94, §14; effective Feb. 4, 2000; amended Nov. 6, 2009.)

66-11-5. Admission requirements for fundamentals of surveying examination. (a) Each application shall be reviewed by the board to determine whether the requirements for admission to take the fundamentals of surveying examination have been met. Once the board establishes that these requirements have been met, the applicant shall be allowed to sit for the examination.

(b) Each applicant shall meet one of the following requirements for admission before taking the examination:

(1) Graduation from an accredited land surveying curriculum, as defined in K.A.R. 66-9-5 (b) and (c);

(2) successful completion of the land surveying curriculum specified in K.A.R. 66-9-5(e); or

(3) verification of a combination of education and experience of a character satisfactory to the board. In evaluating an applicant's record, a determination shall be made by the board of whether, based on the applicant's educational background, the applicant requires no more than four years of additional progressive land surveying experience to qualify for admission to the practice of surveying examination. (Authorized by K.S.A. 74-7013; implementing K.S.A. 74-7022 and 74-7023; effective Nov. 1, 2002; amended Feb. 3, 2006; amended June 29, 2007; amended Jan. 23, 2009.)

ARTICLE 12. MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

66-12-1. Minimum standards for the practice of land surveying. The board hereby adopts by reference the following:

(a) The "minimum standard detail requirements for ALTA/ACSM land title surveys (effective February 23, 2011)"; and

(b) the "Kansas minimum standards for boundary surveys and mortgagee title inspections standards of practice" adopted by the Kansas society of land surveyors and last amended December 2009, except that the preface and scope sections shall be deleted. (Authorized by K.S.A. 2010 Supp. 74-7013; implementing K.S.A. 74-7037; effective May 4, 1992; amended Feb. 14, 1994; amended Feb. 13, 1995; amended March 1, 1996; amended Feb. 4, 2000; amended Jan. 23, 2009; amended June 18, 2010; amended Jan. 6, 2012.)

ARTICLE 13. ADMINISTRATIVE PROCEDURES

66-13-1. Types of hearings. (a) Where required by Article 74 of the Kansas Statutes Annotated, hearings and procedures of the board shall be in accordance with the hearings and procedures established by the Kansas administrative procedure act.

(b) Summary adjudicative proceedings pursuant to the Kansas administrative procedure act, and amendments thereto may be used for the following types of action:

(1) cease and desist orders;

(2) enforcement orders based on stipulations;

(3) public or private censures.

(c) Any party who disagrees with and is subject to a summary adjudicative action may request that the proceedings be converted to a conference adjudicative proceeding or a formal adjudicative proceeding. Upon request, the summary proceeding shall be converted to the appropriate proceeding available under the Kansas administrative procedure act or rules and regulations promulgated thereunder.

(d) The order issued pursuant to subsection (b) of this regulation shall contain a notice informing those who are subject to the order that a request for review or conversion must be made within 15 days.

(e) The presiding officer for summary adjudicative proceedings may be the executive director or the executive director's designee.

(f) Conference adjudicative proceedings pursuant to K.S.A. 77-533, 77-534 and 77-535 of the Kansas administrative procedure act may be used for actions in which:

(1) there is no disputed issue of material fact; or

(2) the parties agree to a conference adjudicative proceeding. (Authorized by and implementing K.S.A. 74-7013; effective May 4, 1992; amended Feb. 22, 1993.)

ARTICLE 14. CONTINUING EDUCATION REQUIREMENTS

66-14-1. Requirements. (a) Each licensee shall have completed 30 professional development hours (PDHs) of acceptable continuing education requirements during the two-year period immediately preceding the biennial renewal date established in K.A.R. 66-6-6 as a condition for license renewal. If the licensee exceeds the requirement in any renewal period, the licensee may carry a maximum of 30 PDHs forward into the subsequent renewal period.

(b)(1) Each land surveyor shall complete, as part of the 30 PDHs required, at least two PDHs of preapproved continuing education activity on the Kansas minimum standards adopted by reference in K.A.R. 66-12-1(b).

(2) Each provider of a continuing education activity specified in paragraph (b)(1) shall submit an application for preapproval of the continuing education activity on a form provided by the board.

(3) To qualify for preapproval, each continuing education activity shall meet the following conditions:

(A) The activity has a definable purpose and objective.

(B) The activity is created and conducted by a person qualified in the subject area.

(C) The activity equals two contact hours.

(D) Documentation is provided to the participant upon completion of the activity.

(Authorized by K.S.A. 2012 Supp. 74-7013; implementing K.S.A. 2012 Supp. 74-7013 and 74-7025; effective March 1, 1996; amended Feb. 4, 2000; amended Jan. 23, 2009; amended Dec. 27, 2013.)

66-14-2. Definitions. The terms used in this article shall have the following meanings:

(a) "Contact hour" means one clock-hour of not less than 50 minutes.

(b) "Continuing education activity" means an activity that enhances a licensee's level of technical, professional, managerial, or ethical competence in order to further the goal of protecting the health, safety, and welfare of the public.

(c) "Continuing education unit" (CEU) means a unit of credit customarily used for continuing education courses.

(d) "Dual licensee" means a person who is licensed in two or more technical professions.

(e) "Mentoring" means guiding or tutoring another individual in the areas of technical, professional, managerial, or ethical competence in the technical professions.

(f) "Professional development hour" (PDH) means a unit of credit given by the board for participation in a continuing education activity as specified in this article.

(g) "Sponsor" means an individual, organization, association, institution, or other entity that provides an educational offering for the purpose of fulfilling the continuing educational requirements of these regulations. (Authorized by and implementing K.S.A. 74-7013 and 74-7025; effective March 1, 1996; amended Jan. 23, 2009.)

66-14-3. Continuing education activities. (a) Continuing education activities that satisfy the continuing education requirement shall include the following:

(1) Attending professional or technical presentations at meetings, conventions, or conferences;

(2) attending in-house programs sponsored by corporations or other organizations;

(3) successfully completing seminars, tutorials, short courses, correspondence courses, televised courses, or videotaped courses;

(4) making professional or technical presentations at meetings, conventions, or conferences;

(5) teaching or instructing, as described in K.A.R. 66-14-5(a)(2);

(6) authoring published papers, articles, or books;

(7) serving as an officer or committee member of a technical profession society or organization, as described in K.A.R. 66-14-5(a)(4);

(8) successfully completing courses sponsored by a college or university;

(9) successfully completing courses that are awarded continuing educational units; and

(10) mentoring one or more individuals who are preparing for licensure, as described in K.A.R. 66-14-5(a)(8).

(b) Each of the continuing education activities identified in paragraphs (a)(1), (2), (3), (8), and (9) shall meet all of the following criteria:

(1) The activity has a definable purpose and objective.

(2) The program is conducted by a person qualified in the subject area.

(3) The licensee retains a record of registration and attendance.

(Authorized by and implementing K.S.A. 74-7013 and 74-7025; effective March 1, 1996; amended Feb. 4, 2005; amended Jan. 23, 2009.)

66-14-4. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 1; effective March 1, 1996; revoked Jan. 23, 2009.)

66-14-5. Computation of credit. (a) Continuing education credits shall be measured in professional development hours (PDHs) and shall be computed as follows:

(1) Successfully completing one contact hour of professional development education in coursework or seminars or making professional or technical presentations at meetings, conventions, or conferences shall be the equivalent of one PDH.

(2) Teaching or instructing, as specified in K.A.R. 66-14-3(a)(5), shall constitute four PDHs for each contact hour spent in the classroom. Teaching credit shall be valid for teaching a course or seminar in its initial presentation only. Full-time faculty at a college, university, or other educational institution shall not receive teaching credit for teaching their regularly assigned courses.

(3) Authoring a published paper, article, or book shall be the equivalent of 10 PDHs.

(4) Serving as an officer or committee member of a technical profession society or organization shall be the equivalent of two PDHs. Professional development hours shall be limited to two PDHs for each organization and shall not be earned until the completion of each year of service.

(5) Successfully completing one university semester hour of credit shall be the equivalent of 45 PDHs.

(6) Successfully completing one university quarter hour of credit shall be the equivalent of 30 PDHs.

(7) Successfully completing one continuing education unit shall be the equivalent of 10 PDHs.

(8) Mentoring one or more individuals who are preparing for licensure shall be limited to six PDHs each year.

(b) Final authority shall rest with the board, with respect to the approval of continuing education activities. (Authorized by and implementing K.S.A. 74-7013 and 74-7025; effective March 1, 1996; amended Nov. 2, 2001; amended Feb. 4, 2005; amended Jan. 23, 2009.)

66-14-6. Exemptions. A licensee may be exempt, upon board review and approval, from continuing education requirements in any of the following situations:

(a) The licensee is renewing for the first time.

(b) The licensee is called to active duty in the armed forces of the United States for a period of time exceeding 120 consecutive days in a calendar year. This individual may be exempt from obtaining the 15 professional development hours (PDH) required only during that year.

(c) The licensee experiences physical disability, illness, or other extenuating circumstances and certifies that the licensee is not currently practicing a technical profession. The licensee shall provide supporting documentation for the board's review and approval. If the licensee elects to return to practice, the licensee shall earn 30 professional development hours for the last renewal period or shall meet the requirement specified in K.A.R. 66-14-10 or K.A.R. 66-14-11.

(d) The licensee lists the licensee's occupation as retired on the board-approved renewal form and certifies that the licensee is not currently practicing a technical profession. If the licensee elects to return to practice, the licensee shall earn 30 professional development hours for the last renewal period or shall meet the requirement specified in K.A.R. 66-14-10 or K.A.R. 66-14-11. (Authorized by K.S.A. 2001 Supp. 74-7013; implementing K.S.A. 2001 Supp. 74-7013 and 74-7025; effective March 1, 1996; amended Feb. 4, 2000; amended Nov. 1, 2002.)

66-14-7. Records. (a) Each licensee shall maintain records on forms prescribed and furnished by the board to support the professional development hours claimed by the licensee.

The records shall include the following:

(1) A log showing the type of activity claimed, the number of professional development hours earned, and other information as applicable; and

(2) supporting documentation, which may include documentation of any of the following:

(A) Presentations or attendance at meetings, conventions, conferences, programs, seminars, and similar activities, which shall be documented by verification records in the form of completion certificates or other documents supporting evidence of attendance;

(B) authoring published papers or books, which shall be documented by proof of publication; or

(C) mentoring, which shall be documented by completion of a board-approved form signed by both the mentor and the mentored individual indicating dates and a description of the activities.

(b) The licensee shall maintain the records for at least four years and shall provide a copy to the board, upon request. (Authorized by and implementing K.S.A. 74-7013 and 74-7025; effective March 1, 1996; amended Jan 23, 2009.)

66-14-8. Reinstatement. Any individual may reinstate a canceled license by obtaining all delinquent professional development hours, not to exceed 30 PDH. Upon proof that the individual has complied with the requirements for obtaining continuing education, the individual shall meet the board's other requirements for reinstatement before reinstatement shall be granted. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 2; effective March 1, 1996.)

66-14-9. Proof of compliance. Each licensee shall provide proof of satisfying the continuing education requirements as required by the board. If the licensee fails to furnish the information as required by the board, the license shall not be renewed. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 2; effective March 1, 1996.)

66-14-10. Licensure in another jurisdiction. (a) Except as specified in subsections (b) and (c), the board's continuing education requirements may be satisfied if a licensee meets all of the following conditions: (1) The licensee is licensed to practice one of the technical professions in another jurisdiction. (2) The licensee resides in the jurisdiction specified in paragraph (a)(1). (3) The licensee meets the continuing education requirements of the jurisdiction in which the licensee resides.

(b) If a licensee resides in a jurisdiction that requires no continuing education, the licensee shall meet the continuing education

requirements of this article.

(c) Each land surveyor shall comply with K.A.R. 66-14-1(b). (Authorized by K.S.A. 2009 Supp. 74-7013; implementing K.S.A. 2009 Supp. 74-7025; effective March 1, 1996; amended Feb. 9, 2001; amended June 18, 2010.)

66-14-11. Dual licensee. A dual licensee shall earn a minimum of 40 PDH per renewal period except for the carryover permitted. The dual licensee shall earn 20 of the PDH in each technical profession area. The number of professional development hours which may be carried forward into the next renewal period for a dual licensee shall not exceed 20 in each professional area. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 2; effective March 1, 1996.)

66-14-12. Disallowance. If the board disallows the professional development hours claimed, the applicant for licensure renewal or reinstatement shall have 120 days after notification to substantiate the original claim or to earn other credit to meet the minimum requirement. (Authorized by K.S.A. 74-7013, as amended by L. 1995, ch. 104, sec. 1; implementing K.S.A. 74-7025, as amended by L. 1995, ch. 104, sec. 2; effective March 1, 1996.)